

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
GREENEVILLE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

LAZARO ADRIAN QUINTANA
MARTINEZ,

Defendant.

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2:19-CR-00122-DCLC-CRW

MEMORANDUM OPINION

Before the Court is Defendant's *pro se* Motion to Reduce Sentence under United States Sentencing Guideline Amendment 821 and 18 U.S.C. § 3582(c)(1)(A) [Doc. 57]. Pursuant to Standing Order 24-05, Federal Defender Services of Eastern Tennessee has filed a notice that it does not intend to file a supplemental motion at this time [Doc. 58].

On March 10, 2020, Defendant pleaded guilty to one count of conspiracy to commit bank fraud and aggravated identity theft and one count of aggravated identity theft [Docs. 19, 22]. Based on a total offense level of 12, a criminal history category of I, and the mandatory two-year consecutive sentence in 18 U.S.C. § 1028A(a)(1), Defendant's guideline range was 34 to 40 months [Doc. 52, pg. 1]. At sentencing, the Court departed from the guideline range and imposed a sentence of one day as to the conspiracy count, and a consecutive term of 24 months' imprisonment as to the aggravated identity theft count [Doc. 54, pg. 2].

Defendant was separately indicted in *United States v. Quintana Martinez*, No. 8:20-cr-68, Doc. 1 (M.D. Fla. Feb. 12, 2020). On July 20, 2022, that court sentenced Defendant to 51 months'

imprisonment, consecutive to his prison term in this case. *Quintana Martinez*, Docs. 122, 124. He has filed a motion seeking a sentence reduction in that court as well. *Id.*, Doc. 128.

Defendant is currently housed at FCI Miami with a projected release date of October 1, 2024. *See* Bureau of Prisons, <https://www.bop.gov/inmateloc/> (last visited May 31, 2024). He seeks a sentence reduction under 18 U.S.C. §§ 3582(c)(1)(A) and (c)(2) [Doc. 57]. However, Defendant has finished serving the sentence imposed by this court. Accordingly, his motion for sentence reduction [Doc. 57] is **DENIED AS MOOT**. Any motion for sentence reduction must be addressed to the court that imposed his pending sentence of imprisonment, which it appears Defendant has already done. *See Quintana Martinez*, Doc. 128.

SO ORDERED:

s/ Clifton L. Corker
United States District Judge